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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,653	12/03/2008	Torben Falck Orntoft	ORNTOFT 2	8207
1444	7590	02/25/2011	EXAMINER	
Browdy and Neimark, PLLC 1625 K Street, N.W. Suite 1100 Washington, DC 20006			AEDER, SEAN E	
			ART UNIT	PAPER NUMBER
			1642	
			MAIL DATE	DELIVERY MODE
			02/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10584653	12/3/2008	ORNTOFT ET AL.	ORNTOFT 2

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EXAMINER

SEAN E. AEDER

ART UNIT	PAPER
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1642	20110224
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DATE MAILED:

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Commissioner for Patents

The communication filed on 2/22/11 is non-responsive to the prior Office Action because Applicant did not **elect a species identified in the restriction requirement mailed 8/20/10**. Upon election of group I, Applicant is required to identify a single species. As stated in the restriction requirement of 8/20/10, each species is identified by "one or a distinct combination of polynucleotide or polypeptide expression products". "polynucleotide expression products" is not one or a "distinct" combination of polynucleotide or polypeptide expression products. An example of a distinct species is: the polynucleotide expression products SEQ ID NO:1, SEQ ID NO:2, and SEQ ID NO:3.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is the longer. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION MAY BE EXTENDED UP TO A MAXIMUM OF SIX MONTHS.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean E. Aeder, Ph.D. whose telephone number is 571-272-8787. The examiner can normally be reached on M-F: 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Misook Yu, can be reached on 571-272-0839. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sean Aeder/
Primary Examiner, Art Unit 1642

